

**STATE OF LOUISIANA
DEPARTMENT OF CIVIL SERVICE
BATON ROUGE, LA.**

June 15, 2009

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**STATE PERSONNEL MANUAL
TRANSMITTAL SHEET
NO. 454**

To: HEADS OF STATE AGENCIES AND PERSONNEL OFFICERS

Subject: Amended Rules 10.2(a), 10.2(b) and adoption of New Rule 10.11.1 in Chapter 10 of the Civil Service Rules

Issue Date: June 15, 2009

At its regular business meeting on June 3, 2009, the Civil Service Commission approved amendments to Rules 10.2(a), 10.2(b) and the adoption of new Rule 10.11.1, with an effective date of June 3, 2009. Explanations for the new Rule and changes appear in General Circular No. 1763 and HR Handbook Update No. 2009-0009.

If you have any questions, please call your Assistance Coordinator at 225-342-8274.

Please make the following changes in your Civil Service Rules:

<u>REMOVE</u>		<u>INSERT</u>	
<u>Page</u>	<u>T/S</u>	<u>Page</u>	<u>T/S</u>
20.51	364	20.51	454
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Sincerely,

s/Shannon S. Templet
Director

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CHAPTER 10 PERFORMANCE PLANNING AND REVIEW

10.1 Performance Planning and Review System; Required Components.

- (a) Each department shall use a performance planning and review system that complies with this Chapter and consists of at least the following components:
 - 1. a performance planning and review form approved by the Director;
 - 2. a five-level rating system; and
 - 3. a performance planning and review training manual that is reasonably accessible to Rating Supervisors.
- (b) A department may opt to make variations to the PPR form, system, or instructions with prior written approval from the Director.
- (c) All classified employees are covered by this Chapter.

10.2 Rating Supervisor.

- (a) The Appointing Authority shall designate a Rating Supervisor for each employee. Generally, the Rating Supervisor should be the person who, in the Appointing Authority's judgment, is in the best position to observe and document the employee's performance. Failure to designate a Rating Supervisor shall be a violation of these rules.
- (b) The Rating Supervisor shall be responsible for administering the performance planning and review system for his designated employees in accordance with these Rules and agency policy. Failure of the Rating Supervisor to administer the performance management system in accordance with these Rules shall result in his not being eligible for a merit increase for that year.

10.3 Performance Factors to be Rated.

- (a) Each employee **shall** be rated on the following performance factors (or their equivalents): Work Product; Dependability; Cooperativeness; Adaptability; Communication; and Daily Decision Making/Problem Solving.
- (b) Additionally, each supervisory employee **shall** be rated on the following performance factors (or their equivalents): Work Group Management And Leadership; and Performance Planning And Review.
- (c) An employee **may** be rated on any additional performance factor(s) that the Appointing Authority considers applicable to the employee's job.

10.4 Ratings.

- (a) The Rating Supervisor shall rate the employee on each applicable performance factor, using the following ratings (or their equivalents) and points:

20.52 (Rule 10.4 Ratings – continued)

Outstanding - 5 points
Exceeds Requirements - 4 points
Meets Requirements - 3 points
Needs Improvement - 2 points
Poor - 1 point

- (b) The performance factor ratings shall then be averaged and the employee's overall rating or re-rating shall be assigned based upon the following scale:

Outstanding - 4.50 - 5.00
Exceeds Requirements - 3.50 - 4.49
Meets Requirements - 2.50 - 3.49
Needs Improvement - 1.50 - 2.49
Poor - 1.00 - 1.49

- (c) Ratings of “Un-rated” shall be created by default when the employee does not receive an official rating. Ratings of “Un-rated” shall be indicated on the final overall rating or re-rating form by the Rating Supervisor, Reviewer, or Human Resource officer. Employees shall be notified when a rating or re-rating of “Un-rated” has been given as an official overall rating or re-rating. Ratings of “Un-rated” shall be reported on the annual report to the Director of Civil Service in such manner as the Director requires.

10.5 Performance Planning Session.

- (a) The Rating Supervisor shall conduct a performance planning session at least once per rating period, during which the Rating Supervisor shall discuss with the employee:
1. the factors upon which the employee will be rated and
 2. the performance that will be expected during the coming rating period.
- (b) The Rating Supervisor shall provide written expectations for all factors upon which the employee will be rated.
- (c) The Rating Supervisor and the employee shall sign and date the performance planning form to document the session. The employee shall be given a copy of the planning document.
- (d) A performance planning session **shall** be conducted no later than 30 calendar days after:
1. the appointment of a new employee;
 2. or the anniversary date of a current employee;
 3. or the movement of an employee into a position having a different position number and **significantly different duties**.

- (e) A performance planning session may be conducted when an employee gets a new Rating Supervisor or when performance expectations change. Additional performance planning sessions **may also** be conducted as the Rating Supervisor deems appropriate.

10.6 Rating Session

- (a) To create an official rating, the Rating Supervisor shall:
 1. sign and date the completed document,
 2. discuss the rating with the employee,
 3. provide documentation to support any factor rated "Needs Improvement" or "Poor;"
 4. present the form to the employee to be signed and dated, and
 5. give the employee a copy of the completed form with his or her official overall rating noted.
- (a) For a new employee, the rating session shall take place within the 60 calendar days before or on the employee's first anniversary date as defined in Rule 6.14(b).
- (b) For a current employee, the rating session shall take place within the 60 calendar days before or on the employee's anniversary date.
- (d) When an employee is not available, the provisions of this rule shall be satisfied by mailing the completed document to the employee on or before the employee's anniversary date.

10.7 Re-ratings.

- (a) An employee whose official OVERALL rating is "Needs Improvement" or "Poor" shall be re-rated. The re-rating shall be due on the date that is 6 months after the employee's anniversary date. The re-rating may be given up to 60 calendar days prior to or on the re-rating due date.
- (b) Employees who are re-rated as "Meets Requirements" or better may be considered for a merit increase, promotion, upward detail, or permanent status as of the date of the official re-rating.
- (c) Employees may receive unofficial reviews as the supervisor deems necessary to provide feedback and update expectations.

10.8 Creating an Official Rating or Re-Rating

A rating or re-rating that complies with Rules 10.6 and 10.7 becomes official when a copy of the performance planning and review form is given or mailed to the employee.

10.9 Employee's Refusal to Sign Form.

An employee cannot prevent a planning session, rating or re-rating from becoming official by refusing to sign the performance planning and review form. If an employee refuses to sign any part of the form, the Rating Supervisor shall note on the form that the employee refused to sign, and the date of the Planning or Rating session.

10.10 Effects of "Needs Improvement" or "Poor" Rating.

- (a) A rating or re-rating of "Needs Improvement" or "Poor" is not a disciplinary action.
- (b) Any employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" shall not receive a merit increase, a promotion or permanent status. An employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" shall not be detailed to a higher level position except as approved in advance by the Director of Civil Service.
- (c) An employee whose official overall rating or re-rating is "Needs Improvement" or "Poor" may be separated or disciplined in accordance with the rules applicable to the employee's status.

10.11 Effects of Absence of Official Rating or Re-rating.

- (a) An employee who is not rated in accordance with the provisions of this Chapter shall have an official rating of "Un-rated" on the day after the employee's anniversary date.
- (b) An employee who is not re-rated in accordance with the provisions of this Chapter shall have an official re-rating of "Un-rated" on the date that falls 6 months after the employee's anniversary date.

10.11.1 Effects of Failure to Rate Employees

A Rating Supervisor who does not rate the employees he has been designated to review shall not be eligible for a merit increase for that year. However, an appointing authority may grant a merit increase for a Rating Supervisor who fails to rate an employee if, and only if, one of the following circumstances applies:

- 1) The employee was absent for an extended period of time (usually more than 9 months) during the rating period which effectively makes it impossible to evaluate his performance.
- 2) The employee has transferred into the Department from another state Department within 90 days of the anniversary or rating date.

10.12 Record Keeping and Reporting Requirements.

- (a) Each completed performance planning and review form shall be kept in the agency Human Resource office or other designated, secure location not accessible to the public. Completed forms must be available to the Department of Civil Service for

auditing purposes, to other agencies of the State of Louisiana for purposes of checking employment references and to the employee upon request.

- (b) For each employee with an official overall rating or re-rating of "Needs Improvement" or "Poor" the department shall promptly provide a copy of page one of the performance planning and review form to the Director of Civil Service.
- (c) By July 31 of each year, each Appointing Authority shall report to the Director of Civil Service, in such form as the Director prescribes, information about ratings given during the previous year ending June 30.
- (d) The Director of Civil Service may require more frequent reporting as needed.

10.13 Review of Ratings

- (a) A permanent employee who disagrees with any official rating or re-rating has a right to have the rating reviewed by the Appointing Authority or his/her designee. The designated Reviewer is the only person within the employing agency who may change an official rating. The designated Reviewer shall not be the Rating Supervisor who conducted the rating.
- (b) A written request for review must be postmarked or received in the employing agency's Human Resource office no later than 15 calendar days after the employee's anniversary date or, for a re-rating, no later than 15 calendar days after the day that falls six months after the employee's anniversary date. In the request for review, the employee must explain why he/she believes a higher rating is warranted and must attach whatever supporting documentation he or she wants the Reviewer to consider.
- (c) If the request for review is timely, the Reviewer must review the rating, the request for review, and any documentation supporting either. The Reviewer must also discuss the contested rating(s) with the employee and the Rating Supervisor.
- (d) The Reviewer shall notify the employee and the Rating Supervisor, in writing, of the results of the review. Insofar as practicable, this notification shall be provided within 30 calendar days following the date the request for review was received in the Human Resource office. Any change in rating shall be retroactive to the anniversary date or in the case of a contested re-rating, on the day that falls six months after the employee's anniversary date.
- (e) The initial PPR form, the request for review, the Reviewer's response, and all supporting documentation shall be maintained in the employee's PPR file.

10.14 Appeal to the Director of Civil Service

- (a) A permanent employee who disagrees with the Reviewer's decision has a right to have his/her PPR file reviewed by the Director or the Director's designee.
- (b) An appeal under this Rule must be postmarked or received by the Director within 30 calendar days following the date the employee received a copy of the Reviewer's decision. In the appeal, the employee must explain why there was no basis for the contested rating.
- (c) If the appeal is timely, the Director or his designee shall obtain and review the employee's PPR file. When the Director or his designee finds that the agency violated any rule in this Chapter or that there was no documented, rational basis for a rating,

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the Director may order any contested rating changed as he deems appropriate. Insofar as practicable, the Director shall provide a written decision to the employee, the Rating Supervisor, and the Reviewer within 30 calendar days following the date the appeal was filed.

10.15 Effective date.

The revisions to this Chapter shall become effective for anniversary dates on and after March 1, 2001.

10.16 REPEALED

10.17 Exceptions.

For compelling reasons, the Director may approve exceptions to these Rules.

10.18 Grievance Process

The agency's grievance process shall not be used to review or reconsider ratings or a procedural violation of these rules.